

IFW

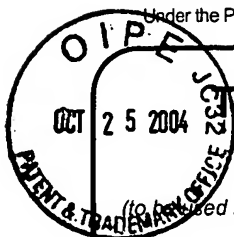
PTO/SB/21 (08-00)

Please type a plus sign (+) inside this box → ☐

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/755,701
		Filing Date	January 12, 2004
		First Named Inventor	McLean
		Group Art Unit	3738
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number	10557/266547

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - Form PTO 1449 (3 sheets) - 9 publications
Remarks 		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Catherine E. Fienning, Reg. No. 54,095		
Signature			
Date	10/20/04		

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450			
Typed or printed name	Angela M. Rossi		
Signature		Date	10/20/04

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Terry MC LEAN

SERIAL NO.: 10/755,501 Group Art Unit: 3738

FILED: January 12, 2004 EXAMINER:

FOR: CONTAINMENT SYSTEM FOR CONSTRAINING A
PROSTHETIC COMPONENT

ATTORNEY DOCKET NO.: 10557/266547

DATE: October 20, 2004

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with Rules 56, 97 and 98 of the Rules of Practice in Patent Cases (37 C.F.R. §§ 1.56, 1.97, and 1.98), the publications listed on the modified Form PTO/SB/08 are cited for consideration by the Examiner

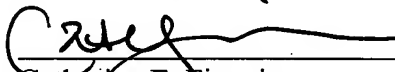
The above-identified patent application is a continuation of U.S. Patent Application Serial No. 10/057,284 filed on January 25, 2002, now abandoned. The documents listed on the enclosed Form PTO 1449 without an asterisk have been cited and made of record in U.S. Patent Application No. 10/057,284. Pursuant to 37 CFR 1.98(d), copies of these documents are not being provided at this time. Enclosed are copies of newly-cited documents marked on the enclosed Form PTO 1449 with an asterisk.

Submission of the references provided in this Information Disclosure is not intended to

constitute an admission that any reference referred to herein is prior art for this invention unless specially designated as such. Also, in accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. 1.97(b), before issuance of a first Office action on the merits. Applicants believe that no fee is due for submission and consideration of this paper. The Commissioner is authorized to charge any fees associated with this filing or credit any overpayment to Deposit Account No. 11-0855.

Respectfully submitted,


Catherine E. Fienning
Reg. No. 54,095

KILPATRICK STOCKTON LLP
Suite 2800, 1100 Peachtree Street
Atlanta, Georgia 30309-4530
(404) 815-6500

BEST AVAILABLE COPY



Sheet 1 of 3

INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket No.: 10557/266547	Application No. 10/755,701
	Applicant: Terry McLean	
	Filing Date: January 12, 2004	Group Art Unit 3738

U.S. PATENT DOCUMENTS

Examiner Initial	Patent Number	Date	Patentee	Class	Subclass	Translation
	3,656,184	04/18/72	Chambers			
	4,241,463	12/30/80	Khovaylo			
	4,279,041	07/21/81	Bucholz			
	4,619,658	10/28/86	Pappas, et al.			
	4,624,674	11/25/86	Pappas, et al.			
	4,676,798	06/30/87	Noiles			
	4,798,610	01/17/89	Averill, et al.			
	4,936,855	06/26/90	Sherman			
	4,950,299	08/21/90	Noiles			
	4,960,427	10/02/90	Noiles			
	*5,019,105	05/28/91	Wiley			
	5,049,158	09/17/91	Engelhardt, et al.			
	5,062,853	11/05/91	Forte			
	5,133,763	07/28/92	Mullers			
	5,222,984	06/29/93	Forte			
	5,226,917	07/13/93	Schyver			
	5,263,988	11/23/93	Huebner			
	5,314,487	05/24/94	Schryver			
	5,314,491	05/24/94	Thongpreda, et al.			
	5,358,532	10/25/94	Evans, et al.			
	5,383,938	01/24/95	Rohr, et al.			
	5,425,778	06/20/95	Zichner, et al.			
	5,458,649	10/17/95	Spotorno, et al.			
	5,507,826	04/16/96	Besselink, et al.			
	5,549,681	08/27/96	Segmuller, et al.			
	5,549,693	08/27/96	Roux, et al.			
	5,676,704	10/14/97	Ries, et al.			
	5,725,587	03/10/98	Garber			
	5,725,591	03/10/98	DeCarlo, Jr., et al.			
	5,782,928	07/21/98	Ries, et al.			
	5,800,555	09/01/98	Gray, III			
	5,824,108	10/20/98	Huebner			
	5,879,404	03/09/99	Bateman, et al.			
	5,916,270	06/29/99	Lipman			
	5,931,870	08/03/99	Cuckler, et al.			
	5,935,175	08/10/99	Ostiguy, Jr., et al.			
	5,964,809	10/12/99	Lin, et al.			
	5,989,293	11/23/99	Cook, et al.			
	6,042,611	03/28/00	Noiles			

Examiner:	Date Considered:
-----------	------------------

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



Sheet 2 of 3

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	Docket No.: 10557/266547	Application No. 10/755,701
	Applicant: Terry McLean	
	Filing Date: January 12, 2004	Group Art Unit 3738

U.S. PATENT DOCUMENTS

		6,042,612	03/28/00	Voydeville			
		6,093,208	07/25/00	Tian			
		6,096,083	08/01/00	Keller, et al.			
		6,099,571	08/08/00	Knapp			
		6,129,765	10/10/00	Lopez, et al.			
		6,206,929	03/27/01	Ochoa, et al.			

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ - Number ⁴ - Kind Code ⁵ (if known)				
		FR 2 785 525 A	05/12/2000	France		Abstr
		FR 2 430 221 A	02/01/80	France		Abstr
		DE 200 11 728 U	11/30/00	Germany		Abstr
		FR 2 437 199 A	04/25/80	France		Abstr
		DE 93 12 150 U	10/28/93	Germany		
		WO 02/00141 A	01/03/02	PCT		
		WO 01/76511 A	10/18/01	PCT		
		FR 2 795 302 A	12/29/00	France		Abstr
		FR 2 785 524 A	05/12/00	France		Abstr
		CH 644 511 A	08/15/84	Switzerland		Abstr
		EP 0 945 109 A	09/29/99	Europe		
		*EP 0 867 158A	09/30/98	Europe		
		*FR 2 684 544A	06/11/93	France		Abstr
		*DE 199 26 923A	12/21/00	Germany		Abstr
		*EP 0 611 008A	08/17/94	Europe		
		*WO 94/05234	03/17/94	PCT		
		*EP 0 694 294A	01/31/96	Europe		Abstr
		*FR 2 765 100A	12/31/98	Europe		Abstr
		*EP 0 412 438A	02/13/91	Europe		

Examiner:

Date Considered:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



Sheet 3 of 3

Form PTO-1449		Docket No.: 10557/266547	Application No. 10/755,701
INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)		Applicant: Terry McLean	
		Filing Date: January 12, 2004	Group Art Unit 3738
OTHER MATERIAL			
		Anderson, et al. "Constrained Acetabular Components," <i>The Journal of Arthroplasty</i> , 9(1):17-23 (1994)	
		Lombardi, et al., "Preliminary Report on the S-ROM™ Constraining Acetabular Insert: A Retrospective Clinical Experience," <i>Orthopedics</i> , 14(3):297-303 (1991)	
		Brochure entitled "Howmedica Osteonics Constrained Acetabular Insert Surgical Protocol," <i>Stryker Howmedica Osteonics</i> , 11 pages (1999)	
		Brochure entitled "Ringloc® Constrained Liner Technique, <i>Biomet Inc.</i> , 6 pages (1998)	
		Tradonsky, et al., "A comparison of the Disassociation Strength of Modular Acetabular Components," <i>Clinical Orthopaedics and Related Research</i> , 296:154-160 (1993)	
		Rosner, et al., "Cup-Liner Conformity of Modular Acetabular Designs, Orthopaedic Research Laboratories, The Mt. Sinai Medical Center, Cleveland, Ohio 44106, six pages (1995)	
		Goetz, et al., "Salvage of Total Hip Instability with a Constrained Acetabular Component," <i>Clinical Orthopaedics and Related Research</i> , 355:171-181 (1998)	
		Goetz, et al., "Salvage of a Recurrently Dislocating Total Hip Prosthesis with Use of a Constrained Acetabular Component. A Retropective Analysis of Fifty-Six Cases," <i>Journal of Bone and Joint Surgery</i> , 80-A(4):502-509 (1998)	
		Cameron, H., "Use of a Constrained Acetabular Component in Revision Hip Surgery," <i>Contemporary Orthop.</i> , 23(5):481-484 (1991)	
		Fisher, et al., "Constrained Acetabular Cup Disassembly," <i>Journal Arthrop.</i> , 9(3):325-329 (1994)	
		Kaper, B., P. et al., "Failure of a Constrained Acetabular Prosthesis of a Total Hip Arthroplasty," <i>Journal of Bone and Joint Surgery</i> , 80-A(4):561-565 (1998)	
		Schulte, et al., "The outcome of Charnley total hip arthroplasty with cement after a minimum twenty-year followup. The results of one surgeon," <i>Journal of Bone and Joint Surgery</i> , 75-A(7):961-975 (1993)	
		Turner, "Postoperative Total Hip Prosthetic Femoral Head Dislocations. Incidence, Etiologic Factors, and Management," <i>Clinical Orthopaedics and Related Research</i> , 301:196-204 (1994)	
		Paterno, et al., "The influence of patient related factors and the position of the acetabular component on the rate of dislocation after total hip replacement," <i>Journal of Bone and Joint Surgery</i> , 79A(8) (1997)	
		Ali Khan, et al., "Dislocation Following Total Hip Replacement," <i>Journal of Bone and Joint Surgery</i> , 214-218 (1981)	
		Hedlundh, et al., "Influence of Surgical Approach on Dislocations After Charnley Hip Arthroplasty," <i>Journal of Arthroplasty</i> , 10(5):609-614 (1995)	
		Kristiansen, et al., "Dislocation Following Total Hip Arthroplasty," <i>Arch. Orthop. Trauma Surg.</i> , 103:375-377 (1985)	
		Morrey, "Difficult Complications After Hip Joint Replacement Dislocation," <i>Clinical Orthopaedics and Related Research</i> , 344:179-187 (1997)	
		Woo, et al., "Dislocations after Total Hip Arthroplasty," <i>Journal of Bone and Joint Surgery</i> , 64-A(9):1295-1306 (1982)	
		T. Cobb, et al., <i>The Elevated-Rim Acetabular Liner in Total Hip Arthroplasty: Relationship to Postoperative Dislocation</i> , <i>Journal of Bone and Joint Surgery</i> , Vol. 78-A, No. 1, Jan. 1996, pp. 80-86	
		CeraNews Special "DUOLOX®-System aus BIOLOX® forte, February 1998, four pages	
Examiner:		Date Considered:	
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.			